PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLEMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held June 6, 2016 and the Regular Meeting of the Town Board held June 6, 2016 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM VOTED

COUNCIL MEMBER GACZEWSKI VOTED

COUNCIL MEMBER RUFFINO VOTED

COUNCIL MEMBER WALTER VOTED

SUPERVISOR COLEMAN VOTED

June 20, 2016

File: RMIN (P1)

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Assistant to the Supervisor, to wit:

Claim No. 44512 to Claim No. 44751 Inclusive

Total amount hereby authorized to be paid: \$1,193,362.79

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM VOTED

COUNCIL MEMBER GACZEWSKI VOTED

COUNCIL MEMBER RUFFINO VOTED

COUNCIL MEMBER WALTER VOTED

SUPERVISOR COLEMAN VOTED

June 20, 2016

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCIL MEMBER ABRAHAM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for

this permit.

(CSW) = Conditional sidewalk waiver

(V/L) = Village of Lancaster

NEW PERMITS:

D	CXX	A 1' AN	A 11	CEDITORINE	X 7*11
Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
25372		Richardson Const. Group LLC	24 Sterling Pl	Er. Res. Alt.	
25373		Sahlems Roofing and Siding Inc	32 Deepwood Pl	Re-Roof	
25374		Eric Panzica	1 Beatrix Cir	Er. Fence	
25375		Scott Enterprises Inc.	150 Siebert Rd	Re-Roof	
25376		Stephen & Nicole Perna	18 Regency Ct	Er. Shed	
25377		Ryan Serafin	22 Crabapple Ln	Er. Shed	
25378		Thomas & Donna Scibor, Jr.	32 Michael's Walk	Re-Roof	
25379		Neth & Son, Inc.	22 Fox Trace	Re-Roof	
25380		Neth & Son, Inc.	23 Fox Trace	Re-Roof	
25381		Neth & Son, Inc.	24 Fox Trace	Re-Roof	
25382		Jeffrey & Susan Maue	596 Pavement Rd	Er. Garage	
25383		Daniel & Jennifer Ahearn	36 Avian Way	Er. Deck	(3.1.11.)
25384		Joshua Puerner	19 Hinchey Ave	Re-Roof	(V/L)
25385		Marc Beebe	14 Old Orchard Comm	Er. Res. Alt.	(3.1.11.)
25386		Marc Beebe	113 Irwinwood Rd	Re-Roof	(V/L)
25387		Samuel & Marie Sciria	3 Ashwood Ct	Er. Shed	(3.7.75.)
25388		Thomas Schuster	2040 Como Park Blvd	Er. Fence	(V/L)
25389		David Drozdiel	29 Hinchey Ave	Er. Fence	(V/L)
25390		Jeffrey T. Dojnik	76 Sturm St	Re-Roof	(V/L)
25391		Michael & Sara McMahon	30 Newberry Ln	Er. Shed	
25392		Mark & Michelle Burakowski	4 Jillian Ln	Er. Fence	
25393		Black Rock Roofing	69 Tomahawk Trl	Re-Roof	
25394		Sturdi Built Sheds LLC	43 Creekwood Dr	Er. Shed	
25395		City Fence Inc.	66 Norris Ave	Er. Fence	(V/L)
25396		Richard Schulmerich	56 Village View	Er. Fence	
25397		Brian & Jennifer Smith	5076 William St	Er. Deck	
25398		12 Roses Construction Inc.	54 Lancaster Ave	Er. Fence	(V/L)
25399		Christopher & Molly White	23 Pheasant Run Ln	Er. Shed	
25400		Black Rock Roofing	5 Old Orchard Comm	Re-Roof	
25401		RJF Development JV	17 Middlebury Ln	Er. DwlgSin.	
25402		Mario & Lena Piccolo	62 Brunck Rd	Er. Pool-Abv Grnd	
25403		Paul Turski	241 Schwartz Rd	Er. Shed	
25404		Fences by Precision LLC	31 Lancaster Ave	Er. Fence	(V/L)
25405		Aerial Roofing & Exterior, Inc	445 Lake Ave	Re-Roof	
25406		Aerial Roofing & Exterior, Inc	81 Michael Anthony Ln	Re-Roof	
25407		Aerial Roofing & Exterior, Inc	11 Queen's Way	Re-Roof	
25408		Michael A. Wawrowski	30 Clark St	Er. Fence	(V/L)
25409		City Fence Inc.	14 Parkedge Dr	Er. Fence	
25410		Donald G.Molino	62 Avian Way	Er. Pool-Abv Grnd	
25411		Ronald Kuropatwinski	44 Parkdale Dr	Er. Fence	
25412		Eric & Heather Thomann	28 Chicory Ln	Inst. Ingrnd. Sprinkler	
25413		Presbyterian Soc of Cayuga Crk	5461 Broadway	Er. Sign – Temp	(V/L)
25414		Anthony Campanella	36 Kennedy Ct	Er. Res. Alt.	
25415		Darryl & Jenny Davis	10 Cemetery Rd	Er. Res. Add.	
25416		Hannah Demolition Inc.	5936 Broadway	Dem. Sin. Dwlg	
25417		David S. Marciniak	235 Pleasant View Dr	Er. Pool-Abv Grnd	
25418		AVA Roofing & Siding Inc.	13 Avian Way	Re-Roof	
25419		Fairway Hills Development	40 Pear Tree Ln	Er. DwlgSin.	
25420		Marc Lease	44 Worthington Ln	Er. Shed	
25421		Patrick M. Dressel	1 Petersbrook Cir	Er. Shed	
25422		Robert A. Gorenflo	10 Windsor Ridge Dr	Er. Fence	
25423		Shawn T. Conrad	45 Fairfield Ave	Er. Fence	(V/L)
25424		JAX Contracting Inc.	20 Rose St	Er. Fence	
25425		J-Cap Contractors LLC	228 Nathan's Trl	Re-Roof	

25426	Joe Christ	11 Whitestone Ln	Er. Res. Add.	
25427	Atlantic Garages	24 Village View	Er. Garage	
25428	Stockmohr Co. Inc.	7 Cloverfield Ct	Re-Roof	
25429	Richardson Const. Group LLC	118 Fourth Ave	Er. Res. Add.	(V/L)
25430	Colley's Pool Sales Inc.	22 Avian Way	Er. Fence	
25431	Colley's Pool Sales Inc.	22 Avian Way	Er. Pool-In Grnd	
25432	M & H Construction Co.	4444 Walden Ave	Er. Comm. Add./Alt.	
25433	John Jason	305 Central Ave	Re-Roof	(V/L)
25434	RJ Zima Inc.	10 Darien Ct	Inst. Ingrnd. Sprinkler	
25435	Bryan Walters	2 Woodstream Dr	Re-Roof	
25436	Justin & Erica Wallens	49 Southpoint Dr	Er. Fence	
25437	Gerald M. Jaszka	223 Westwood Rd	Er. Res. Alt.	
25438	Derrick & Amy Pizur	25 Pear Tree Ln	Er. Shed	
25439	Michelle L. Murray	147 Iroquois Ave	Er. Porch	
25440	Gregory Golembek	18 Lancaster Pkwy	Er. Comm. Bldg.	
25441	Shawn & Bridget Foster	34 Middlebury Ln	Er. Shed	
25442	Sahlems Roofing & Siding Inc.	4805 Transit Rd	Re-Roof	
25443	12 Roses Construction Inc.	3643 Bowen Rd	Er. Deck	
25444	Superior Decks & Gazebos Inc.	300 Enchanted Forest N	Er. Deck	
25445	Charles C. Strassle	48 Creekwood Dr	Re-Roof	
25446	Majestic Pools Inc.	49 Middlebury Ln	Er. Pool-In Grnd	
25447	Joseph Gallagher	123 Stony Rd	Er. Shed	
25448	Fairway Hills Development	32 Crabapple Ln	Er. DwlgSin.	
25449	RGGT LLC	21 Windcroft Ln	Re-Roof	
25450	James Stanley & Penner	313 Peppermint Rd	Er. Pool-Abv Grnd	
25451	James Volpe	74 Benson Dr	Re-Roof	(V/L)
25452	CGL Contracting, LLC	160 Nathan's Trl	Re-Roof	
25453	Sun Enterprises Inc.	386 Aurora St	Er. Shed	(V/L)
25454	Zenner & Ritter Co. Inc.	20 Branch Way	Inst. Generator	
25455	William P. Velocci	57 Sawyer Ave	Inst. Generator	(V/L)

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCIL MEMBER ABRAHAM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER, TO WIT:

WHEREAS, the Town Board is considering the construction of a new 14,562 \pm sq. ft. family life center and chapel for the **Hellenic Orthodox Church** to use as a worship center and banquet facility to be located at 0 Genesee Street in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on June 6, 2016 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the building, the long Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act ("SEQRA") regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled a "Type I" action under SEQRA.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Lancaster that:

- 1. This project is described as construction of a new worship center for the Hellenic Orthodox Church with parking for 132 vehicles. New drainage, utilities, landscaping, re-grading, and temporary and permanent erosion control devices shall be added on 14.86 acres of vacant property will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
- **2**. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
- 3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
 - **4**. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

NEGATIVE DECLARATION Determination of Non-Significance

Town of Lancaster Town Board

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

Dated: June 20, 2016

The Town of Lancaster Town Board (the "Town Board"), has reviewed the proposed construction of a new $14,562 \pm \text{sq.}$ ft. family life center and chapel for the **Hellenic Orthodox Church** to use as a worship center and banquet facility on a 14.86 acre parcel. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Family Life Center (Hellenic Orthodox Church)

Location of Action: 0 Genesee Street (SBL No. 83.00-5-17-112) Lancaster, New York

14086, Erie County.

SEQR Status: Unlisted Action.

<u>Description of Action</u>: The construction of a new worship center for Hellenic Orthodox Church. Parking for 132 vehicles. New drainage, utilities, landscaping, re-grading, and temporary and permanent erosion control devices shall be added.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

- 1. Impact on land No impact.
- 2. Impact on Geological Features No impact.
- 3. A small impact on Surface Water is noted.
 - The project includes an on-site waste water treatment system.
- 4. Impact on Groundwater No impact.
- 5. Impact on Flooding No impact.
- 6. Impact on Air No impact.

- 7. A small impact on Plants and Animals is noted.
 - See document from New York State Department of Environmental Conservation dated December 22, 2015.
 - A small seasonal impact may occur related to the use of herbicides and pesticides.
- 8. Impact on Agricultural Resources No impact.
- 9. Impact on Aesthetic Resources No impact.
- 10. Impact on Historic and Archeological Resources No impact.
 - See documents from New York State Parks, Recreation and Historic Preservation dated December 24, 2015 and February 15, 2016.
- 11. Impact on Open Space and Recreation No impact.
- 12. Impact on Critical Environmental Areas N/A
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).
- 13. Impact on Transportation No impact.
- 14. Impact on Energy No impact.
- 15. Impact on Noise, Odor and Light No impact.
- 16. Impact on Human Health No impact.
- 17. Consistency with Community Plans No impact
- 18. Consistency with Community Character No impact.

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

Address: Town of Lancaster

21 Central Avenue

Lancaster, New York 14086

Telephone Number: (716) 684-3342

WHEREAS, the Town Board of the Town of Lancaster ("Town Board") has considered and evaluated a proposed Local Law which amends the Town of Lancaster Code, Chapter 41. Residency Requirements. Section 2(A). Hiring of employees; and

WHEREAS, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act ("SEQRA") has determined the action is a Type II action under SEQR, and

WHEREAS, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on June 6, 2016, where all interested parties were allowed to address the proposed Local Law;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Lancaster that:

- 1. The attached Local Law No. 3 of 2016 is hereby adopted.
- 2. The Local Law shall be effective upon its filing with the Secretary of State pursuant to the Municipal Home Rule Law.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

LEGAL NOTICE-NOTICE OF ADOPTION LOCAL LAW NO. 3 OF THE YEAR 2016 TOWN OF LANCASTER

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on June 20, 2016 Local Law No. 3 of the Year 2016, which amends the Town of Lancaster Code, Chapter 41. Residency Requirements. Section 2(A). Hiring of employees, which is on file for review in the Town Hall.

TOWN BOARD OF THE TOWN OF LANCASTER

By: DIANE M. TERRANOVA Town Clerk

June 23, 2016

Town of Lancaster Local Law No. 3 of 2016

A Local Law Amending the Town of Lancaster Code to Amend Chapter 41. Residency Requirements. Section 2(A). Hiring of employees.

Be it hereby enacted by the Town Board of the Town of Lancaster as follows:

Section 1: Chapter 41. Residency Requirements. Section 41-2(A). Hiring of employees. of the Town of Lancaster Town Code, is hereby amended to read in its entirety as follows:

§41-2. Hiring of employees.

A. Civil Service competitive classifications. The Town shall hire only persons who appear on a resident preference list issued for open competitive positions generated by the County of Erie, Department of Personnel, where such a list exists. In the event that such a resident preference list does not exist and a nonresident list is provided by the County of Erie, Department of Personnel, then the Town shall advise any nonresidents that appear on the list that they will only be considered for employment with the Town if they commit to relocating their residence into the Town of Lancaster within six months of the date of commencing employment. Upon written application demonstrating a hardship or other good cause, a current employee or qualified lateral transfer may request an extension of six (6) months to become a resident of the Town of Lancaster, to be approved by the Town Board. In support of that extension the employee shall provide evidence of a good faith effort to relocate within the Town or show that his or her failure to do so is as a result of circumstances beyond their control. In the event the employee does not relocate his residence within six (6) months of being hired or apply for the six (6) month extension, he or she shall be terminated for failing to meet this condition of employment.

Section 2: Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 3: Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated June 6, 2016, has requested the addition of a member to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department the following individual:

ADDITION:

Chad Lesser East Amherst, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM VOTED

COUNCIL MEMBER GACZEWSKI VOTED

COUNCIL MEMBER RUFFINO VOTED

COUNCIL MEMBER WALTER VOTED

SUPERVISOR COLEMAN VOTED

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCIL MEMBER ABRAHAM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER, TO WIT:

WHEREAS, Andrew Terragnoli,, on behalf of the Hellenic Orthodox Church, has submitted a site plan prepared by Studio T3 Engineering, PLLC, dated November 4, 2015 with a revision date of April 13, 2016 and received April 21, 2016 for the proposed construction of a $14,562 \pm \text{sq}$. ft. family life center and chapel to be used as a worship center and banquet facility to be located at 0 Genesee Street (SBL No. 83.00-5-17-112), in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their May 4, 2016 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on June 6, 2016, in conformance with SEQR (State Environmental Quality Review) regulations and on June 20, 2016 a Negative Declaration was issued;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by **Andrew Terragnoli**, on behalf of the **Hellenic Orthodox Church** and prepared by **Studio T3 Engineering**, **PLLC**, dated November 4, 2015 with a revision date of April 13, 2016 and received by the Town April 21, 2016 for the proposed construction of a $14,562 \pm \text{sq}$. ft. family life center and chapel to be used as a worship center and banquet facility to be located at 0 Genesee Street (SBL No. 83.00-5-17-112), in the Town of Lancaster with the following conditions:

- 1. Proper filing of all required easements with the Erie County Clerk's Office.
- 2. Provide receipt of approvals from the New York State Department of Transportation, New York State Thruway Authority and the Erie County Water Authority.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated June 13, 2016, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	PAY RATE <u>PER HOUR</u>	EFFECTIVE DATE
Alex Heist (new hire) Lancaster, NY	Laborer	\$9.00	June 21, 2016

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCIL MEMBER RUFFINO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER, TO WIT:

WHEREAS, Mark Lubera, Park Crew Chief of the Town of Lancaster's Parks Recreation & Forestry Department, has notified the Board that there is a hazardous dead Ash tree located at 12 Maple Drive, Bowmansville within the Town that needs to be removed, and

WHEREAS, by letter dated June 13, 2016 Mark Lubera has recommended that the Town of Lancaster authorize The Davey Tree Expert Company to cut the dead Ash tree to a low stump, chip and haul away the debris for an amount of \$1,920.00 per their quote dated June 9, 2016, and

WHEREAS, funding for the tree removal is available, from the Town's 2016 Forestry and Community Beautification Budget Line Item 001.8510.0411.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes The Davey Tree Expert Company, 1200 Commerce Parkway, Lancaster, New York, to cut to a low stump, chip and haul away the debris of a dead Ash tree destroyed by the Emerald Ash Borer Beetle located at 12 Maple Drive, Bowmansville in the Town of Lancaster in accordance with their quote dated June 9, 2016 in the amount not to exceed \$1,920.00 and to be paid for with funds available from the Town's 2016 Forestry and Community Beautification Budget Line Item 001.8510.0411.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

WHEREAS, the Town of Lancaster wishes to engage the services of Lawley Agency, LLC to provide Workers' Compensation Self Insurance Plan Management for the one year period July 1, 2016 through July 1, 2017, and

WHEREAS, the Town of Lancaster also wishes to engage the services of Lawley Agency, LLC to provide Risk Management – Claims/Loss Control for the one year period July 1, 2016 through July 1, 2017, and

NOW THEREFORE,

BE IT RESOLVED, that the Town Board hereby approves the agreements with Lawley Agency, LLC for Workers' Compensation Self Insurance Plan Management and Risk Management – Claims/Loss Control for the one year period July 1, 2016 through July 1, 2017, as presented.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

WHEREAS, An application has been duly made to the Board of the Town of Lancaster, County of Erie, New York, by Time Warner Cable Northeast LLC ("Time Warner Cable"), d/b/a Time Warner Cable, a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 120 Plaza Drive, Suite D, Vestal, New York 13850 for the approval of a renewal agreement for Time Warner Cable's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission, and

WHEREAS, The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings, and

WHEREAS, A public hearing was held in the Town of Lancaster, New York on June 6, 2016 at 7:15 P.M. and notice of the hearing was published in the Lancaster Bee on May 19, 2016.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster finds that:

- 1. Time Warner Cable has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
- 2. Time Warner Cable has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
- 3. Time Warner Cable can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER

RESOLVED, that the Board of the Town of Lancaster hereby grants the cable television franchise of Time Warner in the Town of Lancaster for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence.

BE IT FURTHER

RESOLVED, that the Board of the Town of Lancaster hereby confirms acceptance of this Franchise Renewal Agreement; and hereby authorizes the Town Supervisor to execute same.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated June 14, 2016, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

NAME	<u>POSITION</u>	PAY RATE <u>PER HOUR</u>	EFFECTIVE DATE
Kristen Morgus (new hire) Lancaster, NY	Lifeguard	\$10.00	July 1, 2016

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated June 15, 2016, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

NAME	<u>POSITION</u>	PAY RATE PER HOUR	EFFECTIVE DATE
Becky Edwards (rehire) Cheektowaga	Recreation Attendant	\$20.00	July 5, 2016
Emily Ast (rehire) Lancaster	Recreation Attendant	\$11.00	July 5, 2016
Kelly Fellner (rehire) Lancaster	Recreation Attendant	\$11.00	July 5, 2016
Victoria Iaratonda (new hire) Lancaster	Recreation Attendant	\$11.00	July 5, 2016
Tyler Witt (rehire) Lancaster	Recreation Attendant	\$20.00	July 5, 2016
Joe Mescall (rehire) Lancaster	Recreation Attendant	\$11.00	July 5, 2016
Andrew Fellner (rehire) Lancaster	Recreation Attendant	\$11.00	July 5, 2016
William Delano (rehire) Lancaster	Recreation Attendant	\$20.00	July 11, 2016
Eric Fetes (rehire) Lancaster	Recreation Attendant	\$11.00	July 11, 2016
Tyler Meegan (rehire) Lancaster	Recreation Attendant	\$11.00	July 11, 2016
Gabby Cumbo (rehire) Lancaster	Recreation Attendant	\$20.00	July 18, 2016
Brittnee Nicoloff (rehire) Orchard Park	Recreation Attendant	\$11.00	July 18, 2016
Taylor Domanowski (new hin Lancaster	re)Recreation Attendant	\$11.00	July 18, 2016

Madison Farkas (new hire) Lancaster	Recreation Attendant	\$11.00	July 18, 2016
Ashley Plotnicki (new hire) Lancaster	Recreation Attendant	\$11.00	July 18, 2016
Aaliyah Staufenberger(rehire Bowmansville	e)Recreation Attendant	\$11.00	July 18, 2016
Britany Heist (rehire) Lancaster	Recreation Attendant	\$20.00	July 25, 2016
Hannah Nagowski (rehire) Lancaster	Recreation Attendant	\$11.00	July, 25 2016
Erin DiPirro (new hire) Lancaster	Recreation Attendant	\$11.00	July 25, 2016
Bella Klaczyk (new hire) Lancaster	Recreation Attendant	\$11.00	July 25, 2016
Miranda Hardy (rehire) Lancaster	Recreation Attendant	\$11.00	July 25, 2016
Anthony Piccolo (new hire) Lancaster	Recreation Attendant	\$20.00	July 25, 2016
Andrew Helenbrook (rehire) Lancaster	Recreation Attendant	\$11.00	July 25, 2016
Alex Barbaro (new hire) Lancaster	Recreation Attendant	\$11.00	July 25, 2016
David Krull (rehire) Lancaster	Recreation Attendant	\$12.00	June 28, 2016
Stephen George (rehire) Lancaster	Recreation Attendant	\$10.00	June 28, 2016
Steve Neumaier (new hire) Lancaster	Recreation Attendant	\$10.00	June 28, 2016

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated June 14, 2016, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

NAME	POSITION	PAY RATE <u>PER HOUR</u>	EFFECTIVE DATE
Erin Weigand (rehire) Lancaster	Lifeguard	\$12.00	June 8, 2016

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated June 15, 2016 has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Lancaster Senior Center, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	POSITION	PAY RATE PER HOUR	EFFECTIVE DATE
Frances Bologna Depew, NY	Recreation Attendant	\$9.00	June 21, 2016
Jane Iszkiewicz Lancaster, NY	Recreation Attendant	\$9.00	June 21, 2016

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCIL MEMBER ABRAHAM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER, TO WIT:

WHEREAS, Column Development, Inc., (the "Applicant") has applied for site plan review, and has submitted a site plan prepared by Greenman-Pedersen, Inc., dated July 2015, with a revision date of April 26, 2016, and received April 27, 2016 for the proposed construction of an Enterprise Rent-a-Car storage lot to include a $1,600 \pm \text{sq}$. ft. building located at 5550 Genesee Street, in the Town of Lancaster, and

WHEREAS, the application followed the approval of a re-zoning request by the Applicant to re-zone the subject property to the CMS zoning district; the re-zoning application was granted based upon a specific development proposal that was presented to the Planning Board and the Town Board; and

WHEREAS, following the re-zoning approval, the Applicant submitted a site plan for a significantly larger project, with a greater footprint, with a closer proximity to neighboring residences, and with more significant impacts than were analyzed by the Town Board in its determination to grant the re-zoning application; and

WHEREAS, the site plan for this project was submitted to the Planning Board for its review and recommendation pursuant to the Town Code; the Planning Board, based on the increase in size of the proposed development, recommended denial of the site plan at its September 2, 2015 meeting; and

WHEREAS, the Applicant and its representatives engaged in efforts to work with the Town to mitigate adverse impacts resulting from the significant increase in the size of the project; and

WHEREAS, the Town Board, despite the Planning Board's recommendation that the project be denied, has determined that the negative impacts from the revised project can be appropriately mitigated and that the site plan may be approved, upon the imposition of appropriate conditions pursuant to its authority in Town Law § 274-a(4) and Town Code § 50-43(C)(6)(a)(3); and

WHEREAS, in April 2016, representatives of the Applicant met with Town staff and worked to develop and agreed upon appropriate conditions that would appropriately protect the neighborhood and mitigate potential adverse impacts, which would justify a determination of approval on the site plan application; and

WHEREAS, the Town, acting as lead agency has completed a supplemental environmental review to determine whether project changes required an amendment to or rescission of the negative declaration, in conformance with SEQR (State Environmental Quality Review) regulations; the project, as modified by the conditions, will not present any significant adverse impacts, and the conditional approval allows the Town Board to reaffirm the previously issued negative declaration; as conditioned, the project will not result in any significant adverse environmental impacts and an environmental impact statement is not require

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Column Development, Inc., prepared by Greenman-Pedersen, Inc., dated July 2015, with a revision date of April 26, 2016, and received April 27, 2016 for the proposed construction of an Enterprise Rent-a-Car storage lot to include a 1,600 \pm sq. ft. building located at 5550 Genesee Street, in the Town of Lancaster subject to the following conditions:

- 1. No dispensing of gas or petroleum on site.
- 2. No oil changes on site.
- 3. No carwashes permitted on site.
- 4. No car repairs permitted on site.
- 5. No retail car sales or auctions shall be conducted on site.
- 6. No more than 500 cars shall be stored on site at one time.
- 7. Buffer zone to the west side of the property shall be 100 feet, contingent on approval by the Erie County Health Department. Absent such approval, the west side buffer zone will be 150 feet.
- 8. The proposed sand filter at south side shall be re-located approximately 5 feet north to better accommodate the proposed landscape screening.
- 9. Hours of operation for deliveries by car carrier will be 7:30 a.m.-5:30 p.m; Monday-Friday.
- 10. There shall be no delivery of cars/vehicles via car carrier on Saturdays and Sundays.
- 11. There shall be no off-loading of cars from car carriers on Genesee Street.
- 12. Documentation is to be provided indicating that the road cuts and storm water discharge to Genesee Street are acceptable to NYSDOT.
- 13. The Applicant shall record Deed Restrictions against the property, in the form of Exhibit 1, regarding the buffer boundaries as requested at the May 20, 2015 Planning Board Meeting before operations may commence at the property.
- 14. Developer will mitigate dust from migrating off site during construction as well as during operation.

As set forth in the recitals, which are incorporated herein by reference, the property was rezoned based upon the presentation of a development plan to the Planning Board and the Town Board. As set forth in Town Code § 50-42(B)(1)(f), a rezoning application must contain "[a] statement of planning objectives to be achieved by the rezoning. This statement should include a description of the character of the proposed development, the rationale behind the assumptions and choices made by the applicant, and a statement of how the development meets the objectives of the Comprehensive Plan." The Code requires a statement of quantitative data on the proposed use of the property once rezoned, including a designation of open space. Town Code § 50-42(B)(1)(j). Any such rezoning request is based upon a specific development proposal, with specific impacts. The review pursuant to SEQR also evaluated the specific impacts of the proposed project. That is not to say that a project may never change following a rezoning, but such changes must be evaluated by the reviewing boards.

Following approval of the rezoning petition, the Applicant submitted an application for a significantly different project. The size and scale of the proposed use of the property as a car storage lot eliminated buffers to neighboring residential properties, expanded the footprint to cover a substantially greater portion of the lot, and sought to increase the intensity of the proposed use. These additional impacts required review during the site plan application process. Upon review of the revised Project, the Planning Board recommended denial, based upon the significant changes to the Project.

The Town Board hereby determines that the conditions set forth above appropriately mitigate the increased impacts from the revised project, and justifies approval, despite the Planning Board's denial recommendation. The Town Board hereby finds that the conditions are reasonable and are directly related to and incidental to the proposed site plan. The project, as conditioned, meets the requirements of the Town Co

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

WHEREAS, the Town of Lancaster, is interested in increasing the security associated with the Town Hall for the purposes of employee and public safety and building protection, and

WHEREAS, the Town has obtained a proposal from Wendel Duchscherer Architects & Engineers PC, 375 Essjay Road, Suite 200, Williamsville, New York 14221 for professional services to develop project design and construction documents for the procurement and installation of various security components for a fee not to exceed \$7,500.00 per their proposal dated January 29, 2016, and

WHEREAS, after the proposal was reviewed and considered by the Town Attorney an addendum/amendment to the insurance liability portion of the agreement was created, and

WHEREAS, the Town Board deems it in the interest of public and employee safety to move forward with the engagement of Wendel Duchscherer Architects & Engineers PC, for professional services to develop project design and construction documents for the procurement and installation of various security components.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town of Lancaster the Proposal and Addendum/Amendment made part thereof, between the Town of Lancaster and Wendel Duchscherer Architects & Engineers PC, 375 Essjay Road, Suite 200, Williamsville, New York 14221 for professional services to develop project design and construction documents for the procurement and installation of various security components within the Town Hall of the Town of Lancaster, located at 21 Central Avenue, in an amount not to exceed \$7,500.00 per their proposal dated January 29, 2016 to be paid for with bond funds available in the Town Hall Reconstruction capital project.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCIL MEMBER GACZEWSKI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER, TO WIT:

WHEREAS, Yarussi Construction Inc., 5650 Simmons Avenue, Niagara Falls, New York 14304 the contractor for the general construction work for the Town of Lancaster's Lincoln Street Culvert Project has submitted Change Order No. 1 in the amount of \$5,549.73 to the Town Board for their approval, based on the description of work previously provided to the Town Board;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to **Yarussi Construction Inc.**, with respect to the outlined descriptions provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 1:

Additional compensation for mill and overlay additional asphalt per the direction of the Town.

CHANGE ORDER NO. 1:

The original Contract Sum was	\$ 365,720.25
The Contract Sum will be increased by this Change Order in the amount of	\$ 5,549.73
The new Contract Sum increased including this Change Order will be	\$ 371,269.98

BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

RESOLVED, that the Schedule of Salaries adopted by the town board on January 4, 2016 be and hereby is amended, effective July 1, 2016

Natural Disaster Services Coordinator P.T.: \$12,000 annually, and

BE IT FURTHER

RESOLVED, that the 2016 adopted budget for the town of Lancaster be and hereby is amended as follows:

General Fund, Town Outside Villages:

Increase B599 Appropriated Fund Balance	\$3,400
Increase B960 Budget Appropriations	\$3,400
Increase B3670.0100 Disaster Preparedness, Wages – Salary	\$3,400

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED